

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

YEHUDA HERSKOVIC,

Plaintiff,

-against-

VERIZON WIRELESS,

Defendant.

Case No.: 1:19-cv-03372

DECLARATION OF ABBY ADAMS

Case Removed: June 6, 2019
Compelled to Arb.: March 6, 2020

DECLARATION OF ABBY ADAMS

I, Abby Adams, declare as follows:

1. I am over the age of 18 and am competent to testify to the facts declared below. I have personal knowledge of the facts contained in this declaration and if sworn to testify thereto, could and would do so competently. I submit this declaration to assist the Court in understanding arbitration before BBB National Programs (“BBB NP”) for Verizon customers.

2. I am Senior Counsel of Dispute Resolution Programs for BBB NP, a nonprofit organization providing independent and impartial dispute resolution services. BBB NP administers dispute resolution between Verizon and its customers. The arbitration hearings are typically administered by the local Better Business Bureau (“BBB”) office where the customer resides.

3. A true and correct copy of the Arbitration Rules governing BBB NP arbitrations for Verizon customers are attached hereto as Exhibit 1. These are the Arbitration Rules referenced in the Customer Agreement between Plaintiff Yehuda Herskovic and Verizon—and apply to all of Verizon’s customers. A true and correct copy of the Customer Agreement is attached hereto as Exhibit 2.

4. Under the terms of the Customer Agreement, when a customer is seeking to recover \$10,000 or less from Verizon, the customer may initiate arbitration by submitting the Arbitration Request Form, attached hereto as **Exhibit 3**, to BBB NP.

5. I understand that Mr. Herskovic sent a Complaint to the New York BBB office (Complaint No. 15320624). The Complaint process before the BBB is separate and distinct from the arbitration initiation process before the BBB NP, and therefore the Complaint did not initiate an arbitration.

6. The Verizon arbitration program that is currently administered through the BBB NP has been in operation through various BBB entities since 2003 and has always had a \$10,000 limit. It is my understanding that arbitrations of any amount over \$10,000 are administered by the American Arbitration Association pursuant to the Verizon Customer Agreement.

7. If Mr. Herskovic would like to initiate arbitration seeking \$10,000 or less, he may immediately submit the Arbitration Request Form by mail, email or fax, as indicated on the form. An electronic copy of the form is also available at: https://bbbnp-bbbp-stf-use1-01.s3.amazonaws.com/docs/default-source/verizon/bbbnp_verizondisputeform.pdf.

8. Although the BBB NP website references a 30-day notice period, Verizon has waived that requirement because the parties are involved in litigation.

9. I am unavailable to attend the Court conference on June 29, 2021. However, my office is attempting to arrange for a representative from BBB NP to attend via telephone to answer any additional questions regarding initiating arbitration.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on June 23, 2021 in McLean, Virginia.

/s/ Abby Adams
Abby Adams